

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/714,619 Confirmation No.: 5426
Applicant : Harold P. Mintz
Filed : November 17, 2000
For : METHOD OF OPERATING A VENTURE BUSINESS
TC/Art Unit : 1771
Examiner : Lalita M. Hamilton
Docket No. : 12763
Customer No.: 25570

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

DECLARATION UNDER 37 C.F.R. 1.131

Sir:

1. I, the undersigned, Steven G. Hubbard, declare:
2. I was employed by The Platinum Group, Inc. from June, 1995 until January, 1997 as an Analyst / Associate. I have reviewed and am familiar with the invention disclosed and claimed in the above-identified patent application.

Application No.: 09/714,619
Steven G. Hubbard

3. I received a Bachelor of Arts degree in Economics from Hobart College in 1991, and an MBA degree in Finance from Cornell University in 1995. I have worked in the area of financial services since 1995.

4. Prior to February 14, 2000, I prepared the attached GoldenEye Technologies Prospectus under the direction of Harold P. Mintz. (See Exhibit A.) As shown at page 1, line 17, of Exhibit A, conception of the establishment of a business entity, GoldenEye International is shown. Exhibit A, itself, relates to the conception of the establishment of the investment fund. At page 1, lines 13-17 of Exhibit A, conception of the establishment of a fund managing entity, GoldenEye Management, is discussed. At page 1, line 28, through page 2, line 2, conception relating to the fund having investors that provide capital contributions is discussed. At page 2, lines 21-32, conception of the investors receiving a participation interest and securities is discussed. At page 1, lines 8-11, the conception of the fund's investment objectives is described.

5. I also confirm that, prior to February 14, 2000, Harold P. Mintz discussed with me a method of operating a venture capital investment business, the method comprising the steps of establishing a business entity; the business entity establishing an investment fund for venture capital; establishing a fund managing entity of the investment fund, the fund managing entity attending to administrative matters relating to the investment fund and making investment decisions for the fund; the investment fund having capital contributions provided by investors in the fund, the fund managing entity also providing capital contributions to the fund, the fund utilizing the contributions to invest in portfolio entities; the investors receiving a general participation interest in the fund, and

Application No.: 09/714,619
Steven G. Hubbard

the fund managing entity receiving a carried interest in the fund; providing the investors that have provided at least a threshold capital contribution to the fund with stock rights in the business entity to enable such investors to become shareholders in the business entity; the business entity securing a portion of IPO shares that become available in the portfolio entities; and the business entity enabling shareholders thereof to purchase IPO shares among the portion of IPO shares secured by the business entity that become available in the portfolio entities.

All of the statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

March 28, 2008

Date



Steven G. Hubbard